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| FORM PTO 1449<br>PATENT & TRADEMARK OFFICE  | SERIAL NO.<br>10/530,846     | CASE NO.<br>9378/185<br>(BHP00PUS01007) |
| LIST OF PATENTS AND PUBLICATIONS FOR<br>APPLICANT'S INFORMATION DISCLOSURE<br>STATEMENT | FILING DATE<br>April 8, 2005 | GROUP ART UNIT<br>2123 3073             |
| (use several sheets if necessary)   |                              | APPLICANT(S): Froyland et al.           |

**REFERENCE DESIGNATION U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER<br><small>Number-Kind Code (if known)</small> | DATE | NAME | CLASS/<br>SUBCLASS | FILING<br>DATE |
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**FOREIGN PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER<br><small>Number-Kind Code (if known)</small> | DATE | COUNTRY | CLASS/<br>SUBCLASS | TRANSLATION<br>YES OR NO |
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| EXAMINER<br>INITIAL | OTHER ART – NON PATENT LITERATURE DOCUMENTS<br><small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small> |  |
|---------------------|--|--|
|                     | A1   | Bezdek, James C. et al., "Convergence Theory for Fuzzy c-Means: Counterexamples and Repairs", <i>IEEE Transactions on Systems, Man, and Cybernetics</i> , Vol. SMC-17, No. 5 pp. 873-877, September/October 1987               |
|                     | A2   | Brealey, S.C. et al., "Opencast Mining", <i>The Mining Engineer, I.M.E. (UK)</i> , No. 99, pp. 147-163, December 1968  |
|                     | A3   | Caccetta, Louis et al., "An Application of Branch and Cut to Open Pit Mine Scheduling", <a href="http://ructor.rutgers.edu/~do99/EA/SHill.doc">http://ructor.rutgers.edu/~do99/EA/SHill.doc</a> , pp. 1-24, 1999 7             |
|                     | A4   | International Search Report for PCT/AU03/01298, dated November 27, 2003  |
|                     | A5   | International Search Report for PCTAU03/01299, dated November 11, 2003   |
|                     | A6   | Kaas, L. Michael, "Computer Techniques for Production Scheduling and Blending of Taconite" <i>Proceedings of the 26<sup>th</sup> Annual Mining Symposium</i> , University of Minnesota, pp. 135-144, January 1965              |
|                     | A7   | Lerchs, Helmut et al., "Optimum Design of Open-Pit Mines, <i>Transactions, C.I.M.</i> , Vol. LXVII, pp. 17-24, 1965  |
|                     | A8   | Pana, M.T., "The Simulation Approach to Open-Pit Design", <i>Transactions of the Short Course and Symposium on Computers and Computer Applications in Mining and Exploration</i> , University of Arizona, pp. 1-24, March 1965 |
|                     | A9   | Underwood, R. et al., "A Mathematical Programming Viewpoint for Solving the Ultimate Pit Problem", <i>EJOR</i> , Vol. 107 pp. 96-107, 1998   |
|                     | A10  | Wharton, Christopher et al., "The Effect of Mining Width on NPV", <i>Proceedings of the 1997 Whittle Conference "Optimizing with Whittle"</i> , Perth, Western Australia, pp. 174-178, April 1997                              |

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| EXAMINER<br>/Mary Jacob/ | DATE CONSIDERED<br>05/18/2010 |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.J./